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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,109	07/12/2000	David Stevanovski	TIC-10402/08	1567

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EXAMINER	
FELTEN, DANIEL S	
ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/614,109	Stevanovski
	Examiner	Art Unit
	D. Fetten	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on 7/12/2000.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) 1-18 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) 1-18 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some* c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 3-13 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Kravitz (US 6,029,150).

Re claim 1:

Kravitz discloses a method of administering payment for obligations of a

customer, the method comprising the steps of:

creating a customer account in a central database which is supervised by an administrator (see Kravitz, col. 8, ll. 21-25);

directing a financial institution to make payment for a customer's obligation, providing an electronic link between the administrator and the customer (see Kravitz, col. 8, ll. 25-28); and

notifying the customer electronically of change in the account status (see Kravitz, col. 7, ll 37+).

Re claim 3:

Kravitz discloses creating a customer interface accessible by a customer terminal for accessing the customer account (see Kravitz, col. 11, ll. 50+):

Re claim 4:

Kravitz discloses determining the frequency of notification of change of status of a customer account with the customer terminal through the customer interface (see Kravitz, col. 7, ll. 46-56).

Re claim 5:

Kravitz discloses an administration system for directing payments for financial obligations of a customer, the system comprising:

a central database having a plurality of customer files, said customer files containing customer identification data and a plurality of payment parameters (see Kravitz, col. 12, ll. 15-22);

a customer interface for inputting information from a customer terminal into one of said customer files of said central database, said customer interface having customer selection of said purchase parameters (see Kravitz, col. 12, ll. 45+);

means for providing authorization for the transaction to the merchant, said means for providing authorization programmed to make authorization in accordance with the customer selected purchase parameters and predetermined credit parameters set for the customer (see Kravitz, col. 11, ll. 64 to col. 12, ll. 14);

means for making payment to said merchant for said transaction; and means for collecting payment from a customer financial account for the transaction (see col. 11, ll. 64 to col. 12, ll. 22).

Re claim 6:

Kravitz discloses a means for delivering an electronic notice directly to a customer in response to a change in account status (see Kravitz, col. 7, ll. 37+).

Re claim 7:

Kravitz discloses a method of administrating payments for transactions made by a customer from a merchant over the Internet (see Kravitz, col. 11, ll. 51+), the method comprising:

creating a central database having a customer account (see Kravitz, col. 8, ll. 21-25);

entering customer selected purchase parameters in the central database (see Kravitz, col. 7, ll. 46-63);

approving the transaction when the transaction falls within the purchase parameters (see Kravitz, col. 7, ll. 46-63).

Re claim 8:

Kravitz discloses collecting payment from a primary customer account for the transaction (see Kravitz, col. 12, ll. 10-14)

Re claim 9:

Kravitz discloses notifying the customer electronically in real-time when a transaction is made (see Kravitz, col. 7, ll. 46-63).

Re claim 10:

Kravitz discloses entering payment parameters into the customer account and directing payment for the transaction in accordance with the payment parameters (see Kravitz, col. 7, ll. 46-63).

Re claim 11:

Kravitz discloses collecting payment for the transaction from a secondary customer account when the primary account is unavailable to make payment (see Kravitz, col. 13, ll. 5+).

Re claim 12:

Kravitz discloses an administration system for directing payment for financial obligations of a customer, the system comprising:

a central database having a plurality of customer account files (see Kravitz, col. 13, ll. 15-22);

a means for enabling a customer to select purchase parameters

and storing the purchase parameters in the database (see Kravitz, col. 7, ll. 46-63);

means for authorizing a transaction when the transaction falls within the purchase parameters (see Kravitz, col. 7, ll. 46-63).

Re claim 13:

Collecting payment from a primary customer account for the transaction (see Kravitz, col. 12, ll. 10+).

Re claim 15:

Kravitz discloses entering payment parameters into the customer account and directing payment for the transaction in accordance with the payment parameters (see Kravitz, col. 7, ll. 46-63).

Re claim 16:

Kravitz discloses collecting payment for the transaction from a secondary customer account when the primary account is unavailable to make payment (see Kravitz, col. 13, ll. 5+).

Re claim 17:

Kravitz discloses notifying the customer electronically when there is a change in the customer account (see Kravitz, col. 7, ll. 37+).

Re claim 18:

Kravitz discloses a method for administering payments for financial obligations;

creating a central database having a customer account (see Kravitz, col. 8, ll. 21-25),

entering a primary financial account and a secondary financial account in the database (see Kravitz, col. 12, ll. 10+);

directing payment for a customer obligation from the primary account (see Kravitz, col. 12, ll. 10+);

directing payment for the customer obligation from the secondary account when payment cannot be made from the primary account (see Kravitz, col. 13, ll. 5+).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz (US 6,029,150) in view of Lawlor et al (hereinafter "Lawlor", US 5,220,501). The teachings of Kravitz have been discussed above.

Kravitz fails to disclose notifying the customer electronically in real-time when a transaction is made. Lawlor discloses a method for remote transactions where by messages/notifications are transmitted in real time (see Lawlor Abstract). It would have been obvious for an artisan of ordinary skill that the time of the invention of Kravitz to have integrated real-time notification messaging within the invention to immediately alert the user when important transactions take place; particularly those wherein the item purchased is within the context of a competitive

business environment. In a competitive business environment where deadlines or time limits (i.e. in auctions, certain offers, etc.,) are enacted, an artisan of ordinary skill in the art would have recognized the advantages and conveniences of real-time notification over a time delayed system, and thus would have sought those advantages being an obvious expedient to one of ordinary skill in the art.

Conclusion

5. A list of relevant prior art appears below not relied upon in this Office Action:

US Patents:

Mital (US 5,903,652) discloses a system fan apparatus for monitoring secure information in a computer network

Rosen (US 5,557,518) discloses trusted agents for open electronic commerce

Foreign Patents:

Non-Patented Literature:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday. Any inquiry of a general nature relating to the status of this application or its proceedings should be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor ***Vincent Millin*** whose telephone number is (703) 308-1065.

7. Response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

for formal communications intended for entry, or (703) 305-0040, for informal or draft communications, please label "Proposed" or "Draft".

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to *[daniel.felten@uspto.gov]*.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1 195 OG 89.

DSF
June 13, 2003